

"THE WORLD'S" REAL ESTATE INDEX SAVES MONEY AND TIME.

EXTRA.
2 O'CLOCK.
UNABLE TO AGREEWebster's Jury Could Not Decide
the Question of His Guilt.Three of the Twelve Were for
Murder as Charged.Eight Others Were for Acquittal and
One for Manslaughter.For Over Eighteen Hours They Bal-
lotted with the Same Result.

The jury in the case of Burton Cuthbert Webster, on trial for killing Charles E. Goodwin, failed to agree after eighteen hours and twenty minutes of deliberation, and was discharged by Judge Cowing at 10:30 o'clock this morning.

Webster was remanded to the Tombs till Monday, when Judge Cowing will hear Mr. Howe's motion that Webster be admitted to bail.

Webster received the announcement of the disagreement with a weary expression of face, and turned at a word from Deputy Sheriff Lynch and followed him out of the courtroom and back to the Tombs.

The jury stood eight for acquittal, three for conviction of murder in the first degree and one for manslaughter in the first degree.

This one juror was Philip C. Slaughter, the Stone street real estate dealer and descendant of the ancient Virginia family of Slaughters.

Foreman Albert Wood and Jurors Adam G. Loughlin and Wm. H. Buckingham were for murder in the first degree.

"We stood at the end just as we did at the beginning," said Foreman Wood.

"I think there were a lot of obstinate men on that jury, though I believe that every man was conscientious and honest."

"We never slept a wink. We spent the whole night in discussing the evidence and taking ballots."

"We took innumerable ballots, all just alike. Sometimes we took a dozen ballots in an hour, and Messrs. McCall, Abrams, Terry, Danan, Egan, Higgins, Lamb and Knauft voted every time for acquittal, and I am sure we would never have agreed had we sat till the crack of doom."

Jurymen Abrams said: "It was tedious work. I feel that I have discharged a grave duty properly, and may go home with a clear conscience. That I will I say about it."

Jurymen Morris D. Karp, the long-bearded, long-haired and effeminate-looking old bachelor, and retired groceryman, who was curious the other day about the weight of Evelyn Granville's baby, only smiled in a deprecating way and said:

"I had my doubts about Webster's guilt, and I would not vote to condemn him."

WEBSTER HAD FRANKED FOLKMAN WOOD.

When the twelve jurymen entered the courtroom they were hollow-eyed, haggard and disheveled.

Judge Cowing stepped briskly into his caped bench a moment later and Clerk Davenport sang the roll of jurors, while Webster hid his little crossed eyes anxiously upon the foreman. He had feared the foreman was against him from the start, owing to the set countenance which he maintained all during the testimony of Mrs. Webster, Fanny Krontine and himself.

The foreman arose and replied to the usual question:

"We have not agreed."

"You have been out nearly nineteen hours," said Judge Cowing, "and I think it is very odd, owing to the length of time consumed in selecting the jury and the care that has been taken to select the jury for further deliberation. If you think there is any hope of your coming to an agreement, and if—"

"S. CHANCE OF AN AGREEMENT."

Foreman Wood interrupted to say he thought there was no hope of an agreement, and that he would like permission to speak in private to the Judge before he decided whether he should discharge the jury or not.

Judge Cowing said that was improper and unavailing, and told the jury to speak out.

"Well, Your Honor," said Knauft, "we think the diagram of Goodwin's room to our deliberating room, if it had marked on it the place where Goodwin's body lay, and the fireman up there in our room made another mark on the diagram, showing the body to be much nearer to the door, and—"

"Oh, well; there ought not to be any question about where the body lay. It was testified to over and over again that it lay just from the door," said Judge Cowing, and foreman Wood excitedly explained:

"I marked it just that way—a foot and a half to three feet from the door."

THE JURY DISCHARGED.

Judge Cowing said: "I think there is no chance of an agreement if you haven't changed in nineteen hours, and I discharge you from further service for the term."

As the jurors filed out of the box Mr. Howe moved that Webster be admitted to bail. He said:

"Webster has been locked up a prisoner in the Tombs for several months, and it is a great hardship. He is a poor man and must earn a living for his family. The jury has disagreed, and it will be many weeks before he can be tried again."

Judge Cowing said:

"I will remain the defendant till Monday morning, when I will listen to arguments on the motion."

And so ended the trial of Burton Cuthbert

Webster, which has excited public attention all over the country.

EVELYN GRANVILLE NOT IN COURT.

The crowd that thronged the courtroom lingered about the building and discussed the case till the janitor turned them out of doors at noon.

Evelyn Granville did not come to the scene at all to-day, but she waited at the office of Howe & Hummel to hear the news that she had been prepared for by the lawyers. She sighed and went away.

Waiting for the Verdict.

This morning was one of dreadful suspense for Burton C. Webster and of tedious waiting for every one else whose duty compelled them to linger upon the deliberations of the jury that was trying to decide whether or not the killing of Charles E. Goodwin was wilful murder.

Some smart fellow has said that if there is anything which the Omiscient does not know it is what a pettiness jury will do.

The jury retired from the court chamber at 4 o'clock yesterday afternoon. The twelve men were taken under guard of four officers, especially sworn for the duty, to the chamber of Part II. of the Court of General Sessions, where Judge Fitzgerald had adjourned his court but a moment before.

These are the twelve men who went apart for deliberation upon the fate of Burton C. Webster.

ALBERT WOOD, manager, No. 14 East One Hundred and Twenty-second street.

DANIEL MCCALL, clerk, No. 126 East Eighty-sixth street.

MORRIS D. KARP, retired grocer, No. 126 East Sixteenth street.

DAVID H. ABRAMS, No. 150 East Fifty-fifth street, shirt manufacturer at No. 403 East One Hundred and Twenty-second street.

JOHN L. TERRY, No. 5 West Twenty-second street.

PATRICK J. DORAN, baker, No. 641 Ninth avenue.

ADAM G. LOUGHLIN, dry goods, No. 732 Tenth avenue, living at No. 480 West Fifty-fifth street.

WILLIAM H. BUCKINGHAM, clerk in a glove store at No. 520 Broadway and living at No. 63 Bank street.

PHILIP C. SLAUGHTER, who does a real estate business at No. 126 East Fifty-fifth street.

FRANCIS T. HIGGINS, who sells carpets at No. 720 Eighth avenue.

ALVIN E. LAMB, manager of the Western Block Yards Company, living at No. 308 West Forty-second street.

NATHAN KNAUFT, in the picture business at No. 210 East One Hundred and Twenty-second street.

WAS THE SUGGESTED TEST MADE?

They took with them a diagram of the third floor of the Perival apartment-house and a fancy cup of tea to the shattered vessel found in Charles E. Goodwin's room after the tragedy of Sunday evening, Aug. 2.

Webster said that he shot Goodwin because the latter had pushed a cuspidor over his head and was about to smash it on Webster's skull.

Goodwin, in one of his four dying states, said that the smashed cuspidor was broken by himself in falling on it after he was shot.

William F. Howe in his final plea for Webster's life explained on this disputed point:

"Let the jury take this whole cuspidor to their private room with them. Let the foreman or some 135 or 140 pound member of the jury fall over it and see if he breaks the bowl of the vessel and leaves the rim whole and intact. If it withstands the weight, then in all fairness let him hurt it at the door-jamb or some other hard substance and see how it will break."

When Foreman Wood asked to be permitted to carry the cuspidor to the deliberating room every one wondered if he intended to make the experiments suggested, and the few more curious ones, who followed the jury up to the top floor of the ancient brownstone Court-house listened for sounds of smashing cuspidor, and every time the door was opened for any purpose the officers on guard peered in to see if the cuspidor was still intact.

But up to the time when the last message came to Judge Cowing at 9:30 o'clock last evening the cuspidor was still whole.

WEBSTER'S OPINION OF THE JUDGE'S CHARGE.

Webster, the cool, calm, unexcitable man whose life was in the balance, said when the jury retired:

"I knew Judge Cowing's charge would be fair. It was absolutely fair, as I interpreted it, though, of course, I may be over sanguine."

"Then I was betrayed just the faintest suggestion of anxiety by asking:

"What do you think? Wasn't the charge rather favorable to me?"

He was visibly reassured when an affirmative reply was given.

The crowd in the courtroom was so great that it was difficult to move about, and there were twenty women among the throng.

The jury went out nine people squeezed into the chamber and Capt. Paddy Ryan ordered the room cleared.

"Come, clear out now, everybody!" he shouted gruffly.

"Do you mean me, Cap'n?" asked "Burt" Webster, with a quiet grin, and the jury Captain gave the prisoner a nod before he disappeared with his hat.

Evelyn Granville went down to the janitor's room and returned a moment later with the pale-faced, thin and sickly-looking Baby Burt, Webster paid the little attention to his offspring till the pretty mother had gathered a crowd of admirers and curiosity seekers about her, and was displaying her baby with apparent pride, and was displaying her baby with apparent pride, and was displaying her baby with apparent pride.

His face was ashen gray; his eyes moved furtively every time the doors swung or any slight commotion occurred; his white hands were never still, and he oversmoked his cigar.

Minutes passed, and lengthened into quarters, halves and full hours, yet no word came from the secret chamber of the jury.

Webster had said: "I believe I shall be honorably acquitted."

Now he talked of a disagreement, and was gloomy.

The shades of evening began to darken the court chambers, and the smoke of surreptitious cigars made the atmosphere murky.

Then attendants lighted the twenty-four gas jets in the chandeliers and the scene was lit up somewhat.

But it soon lapsed into dullness again, and even Civil Justice Peter Mitchell's earnest, indignant protest against the idiotic fashion in which the attendants carried out Judge Cowing's general order to vacillate the court-

room, was welcomed as a diversion by the waiting throng.

At 7 o'clock the four sworn officers, Charles Woud, Henry Trutt, Patrick O'Brien and Frank P. Glenon, returned to the courtroom for their overcoats.

The jurymen were taken to dinner. They did go, to Leggett's, and Webster wondered if he might not go to dinner, too.

THE ACCUSED DINED AT THE ASTOR HOTEL.

Evelyn and the baby and Kitty O'Neal had already gone, at the invitation of a young man about town, and Deputy Sheriff Lynch escorted Webster over to the Astor Hotel, where he ate with as much appetite as he has ever had, for, to use his own expression, he doesn't spend much thought on his stomach.

From the appearance of the card at Guttenburg today the talent and the public will have a hard row to hoe. The card is a good one but every one of the six races looks hard as iron. In other words, the entries are so evenly matched that selecting a winner looks a hard task.

A race for two-year-olds is the feature and a fair lot of youngsters will come to the post. Miss Belle, Sir George II., Perito, Frank L., Sandstone and Vossburg are billed to meet at a mile. They ought to make a good race. The track will be slow and heavy.

The Silver Thread will look to be the best of the lot in the opening event and she may win. Pan Handle may be the runner up and Oro may beat the others.

Second Race—Purse \$400; selling; four and a half furlongs.

W. H. H. 125 Adolph 120

Hammond 120 Silver Thread 120

Ororo 120 Pan Handle 120

Perito 120 Belle 120

Sandstone 120 Vossburg 120

Frank L. 120

Third Race—Purse \$400; selling; one mile.

Miss Belle 120 Frank L. 120

Perito 120 Vossburg 120

Sandstone 120 Belle 120

Frank L. 120

Fourth Race—Purse \$400; two-year-olds; selling; three furlongs.

Dillon J. 110 Jack Lovell 105

Perito 105 Josephine 105

Hammond 105 Belle 105

Frank L. 105

Fifth Race—Purse \$400; two-year-olds; selling; four furlongs.

Perito 120 Belle 120

Frank L. 120

Sixth Race—Purse \$400; selling; four and a half furlongs.

Perito 120 Belle 120

Frank L. 120

Seventh Race—Purse \$400; selling; five furlongs.

Perito 120 Belle 120

Frank L. 120

Eighth Race—Purse \$400; selling; six furlongs.

Perito 120 Belle 120

Frank L. 120

Ninth Race—Purse \$400; selling; seven furlongs.

Perito 120 Belle 120

Frank L. 120

Tenth Race—Purse \$400; selling; eight furlongs.

Perito 120 Belle 120

Frank L. 120

Eleventh Race—Purse \$400; selling; nine furlongs.

Perito 120 Belle 120

Frank L. 120

Twelfth Race—Purse \$400; selling; ten furlongs.

Perito 120 Belle 120

Frank L. 120

Thirteenth Race—Purse \$400; selling; eleven furlongs.

Perito 120 Belle 120

Frank L. 120

Fourteenth Race—Purse \$400; selling; twelve furlongs.

Perito 120 Belle 120

Frank L. 120

Fifteenth Race—Purse \$400; selling; thirteen furlongs.

Perito 120 Belle 120

Frank L. 120

Sixteenth Race—Purse \$400; selling; fourteen furlongs.

Perito 120 Belle 120

Frank L. 120

Seventeenth Race—Purse \$400; selling; fifteen furlongs.

Perito 120 Belle 120

Frank L. 120

Eighteenth Race—Purse \$400; selling; sixteen furlongs.

Perito 120 Belle 120

Frank L. 120

Nineteenth Race—Purse \$400; selling; seventeen furlongs.

Perito 120 Belle 120

Frank L. 120

Twentieth Race—Purse \$400; selling; eighteen furlongs.

Perito 120 Belle 120

Frank L. 120

Twenty-first Race—Purse \$400; selling; nineteen furlongs.

Perito 120 Belle 120

Frank L. 120

Twenty-second Race—Purse \$400; selling; twenty furlongs.

Perito 120 Belle 120

Frank L. 120

Twenty-third Race—Purse \$400; selling; twenty-one furlongs.

Perito 120 Belle 120

Frank L. 120

Twenty-fourth Race—Purse \$400; selling; twenty-two furlongs.

Perito 120 Belle 120

Frank L. 120

POINTERS ON THE RACES.

Evenly Matched Horses for the
Six Events at Guttenburg.A \$500 Purse for Two-Year-Olds
to Struggle For at Three Furlongs.

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